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cont
9 receiving a service unsolicited by said mobile
10 telecommunications device from said B2B engine based on said
11 realtime information.

1 22. (Amended) A system for facilitating information
2 interexchange between a telecommunications network and an
3 information service provider, said system comprising:

4 a mobile telecommunications device within said
5 telecommunications network, said mobile telecommunications device
6 transmitting realtime information;

7 a Business-to-Business (B2B) engine in communication with said
8 mobile telecommunications device, said B2B engine receiving said
9 realtime information; and

10 said B2B engine providing said realtime information to said
11 information service provider, said information service provider, in
12 response to receipt of said realtime information, providing a
13 service unsolicited by said mobile telecommunications device to
14 said mobile telecommunications device.

REMARKS

Claim 15 has been canceled. Thus, the claims presently pending are Claims 1-14 and 16-28. Claims 1, 11 and 22 have been amended. These changes are respectfully asserted to not introduce new matter, and their entry is respectfully requested. A marked-up version showing the amendments to the claims is attached hereto.

Each of the rejections will be discussed separately below, categorized solely for the convenience of the Examiner.

(1) Claim Rejections Using Mills

(a) Claims 1-2, 5-10 and 18 were rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention, and the Examiner cited Mills (U.S. Pat. No. 5,915,225). Although Applicant agrees with the Examiner that Mills qualifies as prior art under 35 U.S.C. 102(b), it does so as a patent issued more than a year prior to the date of the application, and not as a public use or sale. There is no mention or discussion in Mills that the patented invention was in public use or on sale more than a year before the date of the application. (see 35 U.S.C. 102(b) and MPEP 706.02).

Applicant further notes that Claim 18, being dependent upon Claim 11, was rejected using Mills. However, dependent Claims necessarily include all of the limitations of the base claim and any intervening claims, and therefore, the rejection of Claim 18 based solely on Mills, when the claim it depends from, Claim 11, was not rejected based solely on Mills, is improper.

Based on the rejection of Claim 1 using Mills, Applicant has amended independent Claim 1 to now recite "means for receiving a service unsolicited by said mobile telecommunications device from said B2B engine based on said realtime information." Applicant

respectfully submits that this feature is not disclosed or suggested by Mills.

In Mills, the mobile telecommunications network retrieves subscriber data from SIM cards within mobile stations for use by the mobile telecommunications network or another authorized user. However, the mobile telecommunications network does not provide any service back to the mobile station based on the subscriber data that it retrieves. Thus, Mills does not teach the above-listed feature, and as such, Applicant respectfully submits that Claim 1, and the claims that depend therefrom (e.g., Claims 2 and 5-10) are patentable over the art of record.

(b) Claims 3-4 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Ekstrom (U.S. Pat. No. 6,052,597). Applicant again notes that Claim 19, being dependent upon Claim 11, was rejected using Mills. However, dependent Claims necessarily include all of the limitations of the base claim and any intervening claims, and therefore, the rejection of Claim 19 based on Mills, when the claim it depends from, Claim 11, was not rejected based on Mills, is improper. As to Claims 3-4, Applicant respectfully submits that Claims 3-4 are patentable over the art of record for at least the reasons recited above with respect to Claim 1.

(2) Claim Rejections Using Gustafsson

Claims 11-15, 20, 22-23 and 25 were rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention, and the Examiner cited Gustafsson (WO 98/19479). Although Applicant agrees with the Examiner that Mills qualifies as prior art under 35 U.S.C. 102(b), it does so as a publication more than a year prior to the date of the application, and not as a public use or sale. There is no mention or discussion in Gustafsson that the invention described in the publication was in public use or on sale more than a year before the date of the application. (see 35 U.S.C. 102(b) and MPEP 706.02).

Based on the rejection of independent Claims 11 and 22 using Gustaffson, Applicant has amended independent Claim 11 (with similar features being found in Claim 22) to now recite "receiving a service unsolicited by said mobile telecommunications device from said B2B engine based on said realtime information." Applicant respectfully submits that this feature is also not disclosed or suggested by Gustaffson.

In Gustaffson, the mobile station receives broadcast location information, and later appends this location information to a request for a service announcement. The service announcement received by the mobile station is therefore a solicited, and not an unsolicited service announcement, as is now claimed in Claims 11 and 22. Thus, Gustaffson does not teach the above-listed feature, and as such, Applicant respectfully submits that Claim 11 and 22,

Application No. 09/755,939
Attorney Docket No. 27943-00400USPT
Client Docket No. P12659US1

and the claims that depend therefrom (e.g., Claims 12-15, 20, 23 and 25) are patentable over the art of record.


(2) Claim Rejections Using Gustafsson and Mills

Claims 16-17, 21 and 26-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gustaffson in view of Mills. Applicant respectfully submits that Claims 16-17, 21 and 26-28 are patentable over the art of record for at least the reasons recited above with respect to Claims 1, 11 and 22.

Thus, all grounds of rejection and/or objection are traversed or accommodated, and favorable reconsideration and allowance are respectfully requested.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDED CLAIMS

1 1. (Amended) A mobile telecommunications device within a
2 telecommunications system in communication with a Business-to-
3 Business (B2B) engine, said mobile telecommunications device
4 comprising:

5 a SIM card;

6 an application unit in communication with said SIM card, said
7 application unit gathering realtime information related to said
8 mobile telecommunications device; [and]

9 forwarding means, in communication with said application unit,
10 for forwarding said realtime information to said B2B engine; and

11 means for receiving a service unsolicited by said mobile
12 telecommunications device from said B2B engine based on said
13 realtime information.

1 11. (Amended) A method for sending realtime information to a
2 Business-to-Business (B2B) engine, said realtime information being
3 related to a mobile telecommunications device within a
4 telecommunications system, said method comprising the steps of:

5 gathering, by said mobile telecommunications device, said
6 realtime information [related]; [and]

7 forwarding, after said step of gathering, said realtime
8 information to said B2B engine; and

9 receiving a service unsolicited by said mobile
10 telecommunications device from said B2B engine based on said
11 realtime information.

1 22. (Amended) A system for facilitating information
2 , interexchange between a telecommunications network and an
3 information service provider, said system comprising:

4 a mobile telecommunications device within said
5 telecommunications network, said mobile telecommunications device
6 transmitting realtime information;

7 a Business-to-Business (B2B) engine in communication with said
8 mobile telecommunications device, said B2B engine receiving said
9 realtime information; and

10 said B2B engine providing said realtime information to said
11 information service provider, said information service provider, in
12 response to receipt of said realtime information, providing a
13 service unsolicited by said mobile telecommunications device to
14 said mobile telecommunications device.